

EPA Official Record

Mail ID: 9e506991c8fb4089aae5091ec192be4f

From: Beak, Doug

To: Jackson, Suzanne

Delivered Date: 09/25/2014 08:01 AM EDT

Subject: FW: FOIA Request-HQ-2014-008306

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----- Forwarded by Doug Beak/ADA/USEPA/US on 09/24/2014 02:02 PM -----

From:"Chris Hill (Regulatory)" <chris.hill@chk.com>
To: Michael Overbay/R6/USEPA/US@EPA
Cc: David Jewett/ADA/USEPA/US@EPA, Doug Beak/ADA/USEPA/US@EPA, Susan Mravik/ADA/USEPA/US@EPA, John Satterfield
<john.satterfield@chk.com>
Date:07/16/2012 10:57 PM
Subject:RE: Insurance information

Mike,

Please see CHK's comments regarding EPA's proposed agreement attached. The embedded revisions address all concerns regarding the subcontractor issue. Once EPA has accepted all changes to the agreement, signed the document and provided CHK a

new E&E certificate of insurance aligned with the agreement, CHK will consider the contractor liability issues adequately addressed to proceed with field activities. I would be more than happy to setup a conference call in the near future, if there are any issues with the revised agreement that we need to work through.

I have attached a copy of the CHK/Landowner access agreement for your information.

Please let me know if you have any questions or comments, or if there is anything else we can do to help. We look forward to proceeding with the Mississippi Lime prospective study.

Thank you,

Chris Hill

Environmental Engineer
Chesapeake Energy Corporation
Office: (405) 935-2321
Mobile: (405) 388-3907
Fax: (405) 849-2321
E-mail: Chris.Hill@chk.com

From: John Satterfield

Sent: Thursday, July 12, 2012 3:37 PM

To: 'Michael Overbay'

Cc: Chris Hill (Regulatory); 'Jeanne Briskin'; 'Ramona Trovato'; 'Bob Sussman'; 'Stephen Hess'; 'Lek Kadeli'; 'Steve Pressman'; 'David Jewett'; 'Doug Beak'; 'Susan Mravik'

Subject: RE: Insurance information

Thanks! Will run to ground and get back with you as soon as I can.

From: Michael Overbay[<mailto:Overbay.Michael@epamail.epa.gov>]

Sent: Thursday, July 12, 2012 3:35 PM

To: John Satterfield

Cc: Chris Hill (Regulatory); Jeanne Briskin; Ramona Trovato; Bob Sussman; Stephen Hess; Lek Kadeli; Steve Pressman; David Jewett; Doug Beak; Susan Mravik

Subject: Insurance information

Hello John,

I am happy to finally be able to provide you information about the insurance requirements contained in the EPA contract with our prime contractor for this project, Ecology and Environment (E&E). Attached is a certificate of insurance showing E&E's existing policies, with coverage up to \$15 million. The policies will be carried forward under our existing contract with E&E. If the coverage is sufficient, Chesapeake will be added as an additional insured for the liability coverage.

Per Stephanie's E-mail message June 27th, it appears you will not need insurance information about the drilling subcontractor in order to move forward. I am hoping the above information will be adequate to allow Chesapeake to resolve their concerns about liabilities issues.

Once you have had a chance to share this information and discuss it internally, I would appreciate receiving an E-mail with your confirmation that the liability/indemnification issue is resolved. Also, we would like to receive a copy of the access agreement with the landowner to confirm that we have access to conduct our EPA activities through your agreement. As you know, we would like to make sure all the paperwork is agreed to so that we can move ahead with this project.

Please feel free for either you or Chris Hill to call me if you have any questions.

Best regards,

Mike

Michael Overbay, P.G.
Regional Ground Water Center Coordinator
U.S. Environmental Protection Agency - Region 6
(214)665-6482
(214)665-2191 (FAX)

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(See attached file: Draft Access Agreement with Chesapeake v1 by MO CBH2.docx)(See attached file: Scanned Document.pdf)(See attached file: Eand E insurance certificate.pdf)

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----- Forwarded by Doug Beak/ADA/USEPA/US on 09/24/2014 02:02 PM -----

From: Michael Overbay/R6/USEPA/US
To: chris.hill@chk.com
Cc: Susan Mravik/ADA/USEPA/US@EPA
Date: 07/18/2012 03:48 PM
Subject: Invitation: Conference call to update insurance discussion on prospective case study. I will call you. (Jul 23 09:00 AM CDT)

Chris, this will be a short conference call to follow-up on our discussion of the access agreement insurance language and costs. As a reminder, we discussed today that E&E's insurance cannot cover their sub-contractor for drilling, so we are striking the language CHK added at 6(c). However, we are planning on adding language to 6(a) to reflect EPA's planned approach, which is to direct E&E to include in the request for bids that the sub must provide similar insurance certificates with \$10 million coverage and naming CHK as an additional insured, with the subrogation language. (Not being an attorney, I think I got that right) The sub's documentation will be provided prior to beginning the site drilling. However, we are still checking on the additional costs which we expect to incur for the well control policy CHK has requested. I hope to know something on that on Monday. Also, I still have to run this approach up the chain for approval once I get the additional cost information.

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